

**BOARD OF TRUSTEES MEETING  
JULY 10, 2012 AT 7:30 PM**

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, July 10, 2012 at Village Hall, 85 Main Street, Cold Spring, New York beginning at 7:30 p.m.

ATTENDANCE AT JULY 10, 2012 VILLAGE OF COLD SPRING BOARD OF TRUSTEES MEETING		
Mayor Seth Gallagher	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Trustee Bruce Campbell	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Trustee J. Ralph Falloon	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Trustee Matt Francisco	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Trustee Charles Hustis	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Also Attending: Stephen Gaba, Village Attorney; Ellen Mageean, Village Accountant; Gregory Phillips, Water Superintendent; William Bujarski, Building Inspector; Michael Armstrong, chair and Anne Impellizzeri, vice chair of the Special Board for the Comprehensive Plan/LWRP

**APPROVAL OF MINUTES**

Trustee Hustis moved to approve minutes of the following meetings: June 12, 2012, June 25, 2012, and June 26, 2012.

Seconded by: Trustee Falloon

VOTE ON THE MATTER				
Mayor Gallagher	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Campbell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Falloon	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Francisco	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Hustis	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	<u>5</u> Yes	<u>0</u> No	<u>0</u> Abstain	<u>0</u> Absent
Result: Minute approval passes				

**FINANCIAL REPORT**

**RESOLUTION #25-2012**

Moved by: Trustee Charles Hustis

Seconded by: Trustee Bruce Campbell

*Resolved that (1)* The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2012/2013 fiscal year:

(1)	To:	A00-2590-000	Permits/Waivers: Vend, Parking & Other	\$275.00
	To:	A00-7550-415	Celebrations: Community Day Donations	\$275.00
			<b>To increase the permits line item for vendor fees received for community day.</b>	

*And (2)* The accountant is hereby authorized to transfer such funds immediately.

VOTE ON THE MATTER				
Mayor Gallagher	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Campbell	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Falloon	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Francisco	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Hustis	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	<u>5</u> Yes	<u>0</u> No	<u>0</u> Abstain	<u>0</u> Absent
Result: Budget Amendment Resolution #25-2012 Passes				

Monthly reports for water and wastewater departments, police, Justice Court and code enforcement were reviewed.

No Recreation Commission meeting was held this month, therefore all requests for use of parks and village facilities were considered by the Village Board as follows:

7/15/2012 Mayor's park pavilion Crystal Lusk

7/21/2012 Wedding Ceremony at the bandstand

7/28/2012 Junior Fire Academy graduation and anniversary parade

8/26/2012 Dubroff Mayor's park pavilion

9/8/2012 Joseph Russo application for Cold Spring Fire Company family day

Trustee Campbell moved to approve all applications.

Seconded by Trustee Hustis

VOTE ON THE MATTER				
Mayor Gallagher	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Campbell	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Falloon	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Francisco	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Hustis	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	<u>5</u> Yes	<u>0</u> No	<u>0</u> Abstain	<u>0</u> Absent
Result: All Applications for use of village parks approved.				

Special Board and board liaison reports were reviewed.

## **REPORT OF THE MAYOR AND BOARD OF TRUSTEES**

Trustee Campbell spoke with a representative of an Environmental Management firm who proposed a new technology to treat coal tar contamination. This method would require no excavation or disruption of buildings. Trustee Campbell will arrange a meeting with representatives of this firm, the village board and New York State Department of Environmental Conservation engineers.

Trustee Falloon announced that he has been working with Putnam County Emergency Management to set up the NY-Alert system for village notifications. The system is now ready for village notifications on items such as: water and sewer issues, snow ordinance and parking restrictions.

Mayor Gallagher reported on highway department activities during the month including: sidewalk repairs on Fair, Parrott and Parsonage Streets and fire hydrant repairs on Garden and Parrott Streets. Upcoming projects include: excavation and repairs on West Street which will eliminate storm water leaking into the sanitary sewer system.

## **CORRESPONDENCE**

Mary Conklin, Chairwoman of the Putnam County Legislature requested input concerning a proposal for a hotel/motel user fee.

Citizens of Philipstown announced that Robert Freeman, Executive Director of the New York State Committee on Open Government will meet with Philipstown residents on August 15, 2012.

## **UNFINISHED BUSINESS**

Paul Guillaro, Butterfield developer plans to submit a new conceptual plan with a different configuration.

## **NEW BUSINESS**

Mark Wildonger, Planner for Scenic Hudson is coordinating an effort to prepare an application for funding signage along the Hudson Fjord trail involving the town and county. He prepared the **attached** draft budget for consideration. Mayor Gallagher recommended making the following budget changes:

Under Cold Spring Labor and Equipment - Remove fence installation in the amount of \$6,480 thereby reducing the total Cold Spring Labor and Equipment budget to \$19,320.00

Under Cold Spring Materials- Reduce the crushed gravel budget to \$3,810 thereby reducing the total Cold Spring materials budget to \$18,960.00.

## RESOLUTION #26-2012

WHEREAS, the Village of Cold Spring supports efforts to improve the safety of pedestrians who walk north along River Road/ Fair Street to Route 9D, and from there to trailheads at Little Stony Point and Breakneck; and

WHEREAS, the Village Board is in favor of a preliminary plan to add signage along the newly designated Hudson Fjord trail as it passes through Cold Spring, as well as adding a walking path along Mayor's Park that would give pedestrians a route separated from the car traffic along Fair Street/ River Road; and

### THEREFORE BE IT RESOLVED THAT

1. The Village Board adopts a negative declaration under SEQRA; and
2. The Village Board of Trustees hereby supports the application by the Town of Philipstown for funds from the New York State Office of Parks, Recreation, and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$19,500 (Village of Cold Spring force account match), and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Cold Spring for the Hudson Fjord Hike/Bike Trail and , if appropriate, a conservation easement /preservation covenant to the deed of the assisted property.

Trustee J. Ralph Falloon moved to accept the foregoing resolution, as amended (budget changes), which was seconded by Trustee Campbell.

VOTE ON THE MATTER				
Mayor Gallagher	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Campbell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Falloon	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Francisco	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Hustis	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	<u>5</u> Yes	<u>0</u> No	<u>0</u> Abstain	<u>0</u> Absent
Result: Resolution #26-2012 supporting an application for funding passes				

### Jaycox Pond Easement

Attorney Gaba received a proposed addition to the Jaycox Pond easement regarding insurance and indemnity. He discussed these terms with the board. It was determined that insurance requirements will be reviewed by our insurance company and no decision will be made until the board receives input from Spain Agency.

## APPROVAL OF BILLS

Trustee Campbell moved to approve payment of the audited bills.

Seconded by Trustee Hustis

VOTE ON THE MATTER				
Mayor Gallagher	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Campbell	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Falloon	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Francisco	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Trustee Hustis	√ Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	<u>5</u> Yes	<u>0</u> No	<u>0</u> Abstain	<u>0</u> Absent
Result: Payment of bills approved.				

## PUBLIC COMMENT

Mayor Gallagher initially reviewed the guidelines for public comment.

Michael Bowman of Main Street asked for a response to a recent letter about the Mayor's salary increase and asked for clarification on procedures for public comment. He also called for creation of an ethics board.

Sue Peehl of 13 Fair Street stated that during the proceedings for their zoning appeal for construction at 14 Stone Street, she and her husband Andrew Hall have witnessed what they consider to be inappropriate and unethical behavior on the part of the Mayor and other board members (as per **attached**).

Mayor Gallagher and Trustee Francisco responded that they clearly stated at the Zoning Board of Appeals public hearing that they were speaking as private citizens and a neighbor, not as Mayor or a member of the village board.

After the allotted time for speaking had expired, Mayor Gallagher asked the board if they wanted to hear more comment. Trustees Falloon, Hustis and Campbell agreed to have Ms. Peehl continue to speak.

Gordon Robertson, resident of 220 Main Street, urged the board to seriously consider the complaints about unethical behavior and recommendations for creating an ethics board.

Paul Henderson, resident and owner of 14 Stone Street, spoke of feeling intimidated and excluded from the village.

M. Bowman asked for additional time for comment. Trustee Hustis moved to allow him time to speak and seconded by Trustee Falloon. Trustees Francisco, Campbell, Falloon and Hustis voted in favor and Mayor Gallagher was opposed.

M. Bowman again spoke of procedural and ethical questions surrounding the mayor's raise and the need to form an ethics board.

Mayor Gallagher made a motion to adjourn. There was no second to this motion.

Gordon Robertson asked for additional time to speak. Trustees Campbell and Hustis agreed to hear a few more comments.

S. Peehl spoke about the existing code regarding an ethics board.

Gordon Robertson commented that the village was polarized and divided due to unethical behavior.

Trustee Hustis moved to adjourn the meeting and seconded by Trustee Campbell and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk